

MINUTES

**CITY OF IMPERIAL BEACH
CITY COUNCIL
PLANNING COMMISSION
PUBLIC FINANCING AUTHORITY
HOUSING AUTHORITY
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY**

MAY 3, 2017

**Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

**CLOSED SESSION MEETING – 5:30 P.M.
REGULAR MEETING – 6:00 P.M.**

CLOSED SESSION

Mayor Dedina called the Closed Session meeting to order at 5:30 p.m.

ROLL CALL

Councilmembers present: West, Patton, Spriggs
Councilmembers absent: None
Mayor Pro Tem Present: Bragg
Mayor Present: Dedina
Staff Present: City Manager Hall, Deputy City Attorney Sjoblom, City Clerk Kelly,
Assistant City Manager Dush, Human Resources Manager Cortez

CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code section 54957.6:

Agency Designated Representatives: City Manager, City Attorney, Assistant City Manager,
Human Resources Manager, Administrative Services Director

Employee Organization: Service Employees International Union (SEIU), Local 221
Unrepresented Employees
Mid-Management
Management

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Govt. Code section 54956.9(d)(2) (1 case)

Existing facts and circumstances pursuant to Govt. Code section 54956.9(e)(3)

3. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION

Initiation of litigation pursuant to Govt. Code section 54956.9(d)(4) (2 cases)

ADJOURN CLOSED SESSION

Mayor Dedina adjourned the meeting to Closed Session at 5:31 p.m. and he reconvened the meeting to Open Session at 6:00 p.m.

Reporting out of Closed Session, City Attorney Sjoblom announced City Council discussed Closed Session Item No. 1, direction was given and no reportable action was taken. Closed Session Item Nos. 2 and 3 will be taken at the end of the Regular Meeting agenda.

REGULAR MEETING CALL TO ORDER

Mayor Dedina called the Regular Meeting to order at 6:01 p.m.

ROLL CALL

Councilmembers present: West, Patton, Spriggs
Councilmembers absent: None
Mayor Pro Tem present: Bragg
Mayor present: Dedina
Staff present: City Manager Hall, Deputy City Attorney Sjoblom, City Clerk Kelly, Assistant City Manager Dush, Public Works Director Levien, Fire Chief French, Administrative Services Director Bradley

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Girl Scout Troop 6116.

AGENDA CHANGES

MOTION BY BRAGG, SECOND BY SPRIGGS, TO TAKE ITEM NO. 2.2 – RESOLUTION 2017-7802 CONTINUING THE PROCLAMATION OF A STATE OF LOCAL EMERGENCY RELATING TO IMPACTS FROM CROSS-BORDER POLLUTION IN THE TIJUANA RIVER OFF THE CONSENT CALENDAR FOR DISCUSSION BEFORE ITEM NO. 4.1. MOTION CARRIED UNANIMOUSLY.

MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/REPORTS ON ASSIGNMENTS AND COMMITTEES

Councilmember Spriggs reported on his attendance at the Finance Subcommittee meeting for the Metro Wastewater Joint Powers Authority (Metro JPA), the San Diego Independent Rates Oversight Committee meeting and the Infrastructure and Operations Subcommittee meeting. He announced the full Metro JPA will meet tomorrow on the new permit for the Point Loma Treatment Plant's exception to the secondary treatment requirement. It would allow for discharge at advance primary with the possibility of constructing a 30 MGD plant to convert wastewater to potable water which could be a large burden on taxpayers. Should secondary treatment be required, it could be a \$2 to \$3 billion impact. He also noted possible consequences such as litigation costs.

Councilmember Patton reported 55 mile per hour signs have been installed along the Strand for large trucks to get into the Coastal Campus and asked City Manager Hall to post the hours of enforcement on the City's website. He announced there is a science class at the new library and I.B. Cleanup Day is on May 6th at Mar Vista High School.

Councilmember West reported on Earth Day activities in Imperial Beach and the local area. He announced the opening of Siam Imperial, a new Thai restaurant in Imperial Beach. Surfrider and NoBS will hold their next meeting at the new Library, Bike to Work Day is on May 19 and a bicycle ride for Global Wellness Day is on June 10.

Mayor Pro Tem Bragg reported on her attendance at: the SANDAG Transportation Committee meeting as the MTS representative, the Lets Connect Expo sponsored by the County of San Diego and the Boys and Girls Club, the Chamber Networking Breakfast, and a community meeting to discuss a \$60,000 grant opportunity called Razing Places. She announced a Memorial Day Ceremony is scheduled for May 29 at Veterans Park.

Mayor Dedina announced the Open Air Open House will be held on May 11 from 5:00 p.m. to 7:00 p.m. at Veteran's Park. He reported the South County EDC held their meeting at the new library where S.D. County Supervisor Cox gave an update on his activities, he announced the Burn Institute will be recognizing Tom Santos as their Volunteer of the Year, and he wished Mayor Pro Tem Bragg a Happy Birthday.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

None.

PRESENTATIONS (1)

None.

CONSENT CALENDAR (2.1 & 2.3)

MOTION BY PATTON, SECOND BY SPRIGGS, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 AND 2.3. MOTION CARRIED UNANIMOUSLY.

2.1 RATIFICATION OF WARRANT REGISTER. (0300-25)

City Council ratified the warrant register.

2.3 ADOPTION OF RESOLUTION NO. 2017-7801 AUTHORIZING THE CITY MANAGER TO RENEW THE AGREEMENT WITH SAN DIEGO SPORTS MEDICINE AND FAMILY HEALTH CENTER TO ADMINISTER THE IMPERIAL BEACH FIREFIGHTER WELLNESS PROGRAM. (0620-40)

City Council adopted Resolution No. 2017-7801.

ITEMS PULLED FROM THE CONSENT CALENDAR (2.2)

2.2 RESOLUTION 2017-7802 CONTINUING THE PROCLAMATION OF A STATE OF LOCAL EMERGENCY RELATING TO IMPACTS FROM CROSS-BORDER POLLUTION IN THE TIJUANA RIVER. (0150-40 & 0210-26)

City Manager Hall gave an update report on the City's efforts to protect the health and safety of Imperial Beach residents.

Bethany Case, representing the South Bay Clean Water Movement, spoke about hosting a peaceful march to demonstrate their frustration with repeated sewage spills that continue to plague the South Bay communities; they will continue to work with government officials, residents and those concerned with the sewage situation; and they will also continue collecting letters and post cards.

Baron Partlow stated he had a meeting with County Supervisor Cox's office and had a phone call with Councilmember Alvarez. He expressed concern that the situation in the Tijuana River Valley is getting worse, said he is going to keep fighting this fight, and he will be meeting with Senator Hueso's office tomorrow.

Mayor Dedina reported on a meeting he had with Congressman Vargas' staff yesterday and it was emphasized that the letters do matter. He announced the Border Patrol reported a sewage spill in Goat Canyon and Congressman Vargas' office filed a complaint about the spill. He also reported on meeting with the Border Patrol Union and he spoke about the need for everyone to work together to fix the problem.

Dick Tynan asked City Council to talk to other government officials to turn the river over to the Army Corp of Engineers.

Mayor Dedina spoke about upcoming meetings scheduled with Federal officials while he is in Washington, DC and with Gerónimo Gutiérrez, Ambassador of Mexico. He spoke about the need to do two things: 1) advocate for a plan to upgrade of the sewer system in Tijuana and 2) advocate for doing a feasibility study to get the retention basins and infrastructure on the U.S. side of the border to capture sewage. He expressed appreciation for the leadership of City Council, City staff and the community.

MOTION BY SPRIGGS, SECOND BY WEST, TO ADOPT RESOLUTION NO. 2017-7802.MOTION CARRIED UNANIMOUSLY.

Councilmember Spriggs commented that as the issue is studied more, the resolution will change and have more detail in it. He also said that the solutions are on both sides of the border, letters are still needed, and there is a need to keep dialogue open with Mexico.

ORDINANCES/INTRODUCTION & FIRST READING (3)

None.

PUBLIC HEARINGS (4.1)

4.1 PUBLIC HEARING AND RESOLUTION NO. 2017-7803 CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE LEVY OF THE ANNUAL ASSESSMENT IN A SPECIAL MAINTENANCE DISTRICT (AD 67M). (0345-10)

Mayor Dedina declared the public hearing open.

Public Works Director Levien gave a PowerPoint presentation on the item, announced no protests or objections were received and he noted that this assessment began in 1992 and has occurred annually ever since.

City Clerk Kelly announced no public speaker slips were submitted.

Without dissent from City Council, Mayor Dedina closed the Public Hearing.

MOTION BY BRAGG, SECOND BY WEST, TO ADOPT RESOLUTION NO. 2017-7803 CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE LEVY OF THE ANNUAL ASSESSMENT IN A SPECIAL MAINTENANCE DISTRICT (AD 67M). MOTION CARRIED UNANIMOUSLY.

REPORTS (5.1-5.5)

5.1 RECEIVE A REPORT ON FUTURE "SENIOR/COMMUNITY CENTER" DESIGN CONCEPTS. (0930-20)

Assistant City Manager Dush introduced the item.

Nancie Constandse, Architect/Project Manager, with Jeff Katz Architecture, spoke about community outreach efforts, community feedback received, and she reviewed the proposed site plan design.

Grace Purpura stated, as an art teacher, she would suggest having the sinks approachable from both sides to help avoid having long line-ups when students wash brushes and to have an area to hang artwork. She also suggested having a computer facility that allows printing from a Mac and to have a room where movies can be shown.

Councilmember Patton stated the design raises the bar, gives people another reason to come to Imperial Beach, and he supported the item.

With regard to Councilmember Patton's question regarding energy efficiency of the building, Ms. Constandse stated the building is designed with efficiency in mind. Although no credentialing will be associated with the building, it will be an energy efficient.

In response to Councilmember Patton's question about maintenance of the building, City Manager Hall stated funding is not in place for the structure. The important matter now is to have a plan in place, and then try to get funding. He also spoke about the need for resources to maintain the facility.

Assistant City Manager Dush commented that the building can be programed to generate income.

In response Councilmember West's questions, Ms. Constandse stated the panels are structural, they have been long tested, she can provide the team with warranty information, and the panels are used in museums. With regard to durability, the floors are low maintenance and the building will be built out of metal studs to avoid termite damage.

Mayor Pro Tem Bragg thanked Ms. Constandse and her team for listening to the community. She commented that the building was designed with the future in mind, the different

components of the building were suggestions made by the community and she noted that the Imperial Beach community lacks a large meeting space.

Mayor Dedina supported having more feedback from the community, he appreciated the use of "I.B. Blue", and he questioned what the costs were compared to savings with regard to the various levels of energy efficiency.

5.2 REQUEST TO IMPLEMENT TRIAL PERIOD FOR RESIDENTIAL PARKING PASSES ON THE NORTH SIDE OF ELM STREET, NEAR MAR VISTA HIGH SCHOOL. (0760-95)

City Manager Hall stated now that the Elm Ave. Street Project has been completed, the community has raised concerns about traffic patterns as people are dropping off and picking up their students. He showed pictures of drivers parking in/blocking driveways, parking over sidewalks and double parking. He also showed videos of drivers making U-turns on Elm Ave. while students are crossing the street to get into cars waiting on the north side of the street. He asked for City Council's input on a parking program in consultation with the traffic engineer.

Councilmember West stated that he observed traffic coming from the east and returning to the east and questioned if this traffic flow was a result of the construction on Palm Ave. He also questioned if the two-hour parking restriction in front of some of the homes is being enforced.

City Manager Hall responded he did not believe the parking restriction is actively enforced at this time and discussions have occurred with the Principal to have school staff park in the parking lot.

Jerry Quinn stated that the video represented a light day and said the traffic is not associated with the construction on Palm Ave. because he has seen this type of traffic for the 17 years he has lived in the area. He expressed concern about the safety of the children, said the loss of parking on the south side has also contributed towards the increased traffic, he was assured by the Principal that school staff would not park on the street, and he was concerned about the availability of parking for delivery drivers and postal carriers.

Councilmember Spriggs questioned if there should be a comprehensive solution that includes enforcement of parking on the north side during peak times, speed control, and decreasing the speed limit.

Mayor Pro Tem Bragg stated the primary issue is behavior modification and enforcing the rules of the road. She expressed concern about the problems associated with issuing parking permits and how there are residents in other areas of the City who also want them. She suggested having permits for teachers and students to park in the parking lot and if they park on the street they get a ticket. She was opposed to adding signage between 7th and 5th Streets because there are 15 signs already there. She questioned the timeframes for enforcement.

Councilmember Patton stated that it cannot be certain who is parking across the street. He stated the U-turns are unacceptable, safety of the children is paramount, and he suggested a permit process on a temporary basis for 3 months.

Mayor Dedina stated there is consensus that something should be done and to have a potential program. There was a suggestion of a 3-month trial period and increasing enforcement. He suggested moving forward with a 3-month preliminary report, followed by a 6-month report, while improving enforcement.

Councilmember Spriggs commented that they all are concerned about safety. He noted that there has been no comment about enforcement and he expressed concern about diverting Sheriff's resources. He questioned what the strategy is for changing the culture to ensure that changes will work.

City Manager Hall suggested that the City Council authorize staff to work with the traffic engineer to evaluate the situation and develop a parking program.

Councilmember Patton supported having the Sheriff's do enforcement and to be part of the solution.

Councilmember Bragg supported a 3-month trial period.

Councilmember West spoke in support of a multi-pronged approach.

Chris Brown spoke about her experience as a Sheriff's Department Senior Volunteer while trying to enforce the rules with drivers parked in the drop-off area. She suggested installation of a chain as done at Montgomery High School to prevent U-turns and students from crossing the street.

MOTION BY DEDINA, SECOND BY SPRIGGS, TO AUTHORIZE THE CITY TRAFFIC ENGINEER TO COORDINATE WITH MAR VISTA HIGH SCHOOL, THE SAN DIEGO COUNTY SHERIFF'S DEPARTMENT AND THE RESIDENTS ON THE NORTH SIDE OF ELM AVENUE TO DEVELOP A TRAFFIC SAFETY PROGRAM AROUND ELM AVENUE AND TO REPORT BACK TO THE CITY COUNCIL IN 60 DAYS. MOTION CARRIED UNANIMOUSLY.

5.3 RESOLUTION NO. 2017-7799 CONFIRMING THE FISCAL YEAR 2017/2018 SEWER SERVICE CHARGE RATES FOR SANITARY SEWER SERVICE AS PREVIOUSLY APPROVED. (0830-95)

City Manager Hall reported on the item.

City Clerk Kelly announced no speaker slips submitted.

MOTION BY SPRIGGS, SECOND BY WEST, TO ADOPT RESOLUTION NO. 2017-7799 CONFIRMING THE 6% AVERAGE INCREASE IN SEWER SERVICE CHARGE FEES AS PREVIOUSLY APPROVED IN ORDINANCE NO. 2016-1156. MOTION CARRIED UNANIMOUSLY.

5.4 RESOLUTION NO. 2017-7798 AUTHORIZES THE TRANSFER OF \$130,791 APPROPRIATED FOR PUMP STATION NO. 10 FY 16/17 (EMERGENCY GENERATOR REPLACEMENT) (CIP W16-102), TO A NEW CAPITAL PROJECT (500 BLOCK BONITO AVENUE SEWER MAIN UPSIZE) AND AWARD A CONTRACT TO CHARLES KING COMPANY TO PERFORM THE "500 BLOCK BONITO AVENUE SEWER MAIN UPSIZE" EMERGENCY WORK AT A COST OF \$92,070.40. (0830-10)

Public Works Director Levien gave a PowerPoint presentation on the item and he responded to questions by the City Council stating the project will begin at the end of May and take a couple of weeks to complete, there will be a bypass system to avoid the area under construction and it should not affect the flow from the homeowners. The homeowners will receive notification from the contractor. He also stated traffic will still have access to the area but there will be flagging.

Mayor Dedina expressed appreciation for Public Works Director Levien's foresight and active planning in maintaining the sewer system.

MOTION BY SPRIGGS, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2017-7798 AUTHORIZING THE TRANSFER OF \$130,791 APPROPRIATED FOR PUMP STATION NO. 10 FY 16/17 (EMERGENCY GENERATOR REPLACEMENT) (CIP W16-102), TO A NEW CAPITAL PROJECT (500 BLOCK BONITO AVENUE SEWER MAIN UPSIZE) AND AWARD A CONTRACT TO CHARLES KING COMPANY TO PERFORM THE "500 BLOCK BONITO AVENUE SEWER MAIN UPSIZE" EMERGENCY WORK AT A COST OF \$92,070.40. MOTION CARRIED UNANIMOUSLY.

5.5 ADOPTION OF RESOLUTION NO. 2017-7800 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE SAN DIEGO HUMANE SOCIETY TO PROVIDE THE SPECIALIZED SERVICES OF ANIMAL CONTROL AND CARE IN THE CITY OF IMPERIAL BEACH. (0200-50)

Fire Chief French reported on the item. He noted that the City of Chula Vista Animal Control offers 4 days of coverage and does not cover the weekends, whereas the San Diego Humane Society is offering 7 days of coverage from 8:00 a.m. to 6:00 p.m. (with flexibility in hours).

Steve MacKinnon, Chief of Humane Law Enforcement for the San Diego Humane Society, responded to questions by City Council regarding work hours and their ability to be flexible. He spoke about having a campaign to inform people about the San Diego Humane Society and having a 24-hour line and dispatch center. In response to Councilmember Patton's concern about safety on the beach and training officers on how to drive 4-wheel vehicles on the beach, he said that he will work with the Lifeguards on this matter and follow City protocols. He responded to Mayor Pro Tem Bragg's questions stating they have more officers on duty during 4th of July and most dogs are returned within 24 hours. They are working with City Staff on establishing a temporary holding facility in Imperial Beach and at the end of the day any unclaimed dogs would return with the officer to the San Diego facility. He stated that within the next 2-month window there will be meetings with City staff and the Sheriff's Department on protocols, there will be plans for a media campaign on how to get the word out to the community, and they will participate in events to engage with the community. In response to Councilmember Spriggs' interest in having owners adhere to the leashing requirements and clean up after their dogs, he stated that the Humane Society can help by doing more education rather than enforcement. They can also help with educating the public on barking dogs, training puppies and being good owners.

Councilmember West stated he is excited about having the Humane Society in Imperial Beach.

Mayor Dedina appreciated the staff report and statement of the facts.

City Manager Hall thanked the City of Chula Vista for their services and he noted that the Humane Society can bring a different scope of services to Imperial Beach.

MOTION BY BRAGG, SECOND BY WEST, TO ADOPT RESOLUTION NO. 2017-7800 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE SAN DIEGO HUMANE SOCIETY TO PROVIDE THE SPECIALIZED SERVICES OF ANIMAL CONTROL AND CARE IN THE CITY OF IMPERIAL BEACH. MOTION CARRIED UNANIMOUSLY.

I.B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY REPORTS (6)

None.

ADJOURN REGULAR MEETING

Mayor Dedina adjourned the Regular Meeting at 8:15 p.m.

CLOSED SESSION

Mayor Dedina reconvened the Closed Session meeting at 8:16 p.m.

ROLL CALL

Councilmembers present:	West, Patton, Spriggs
Councilmembers absent:	None
Mayor Pro Tem Present:	Bragg
Mayor Present:	Dedina
Staff Present:	City Manager Hall, Deputy City Attorney Sjoblom, City Clerk Kelly, Assistant City Manager Dush, Public Works Director Levien

CLOSED SESSION

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Govt. Code section 54956.9(d)(2) (1 case)
Existing facts and circumstances pursuant to Govt. Code section 54956.9(e)(3)

3. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION

Initiation of litigation pursuant to Govt. Code section 54956.9(d)(4) (2 cases)

ADJOURN CLOSED SESSION

Mayor Dedina adjourned the meeting to Closed Session at 9:51 p.m. and he reconvened the meeting to Open Session at 9:52 p.m.

Reporting out of Closed Session, Deputy City Attorney Sjoblom announced City Council discussed Closed Session Item Nos. 2 and 3, and there was no reportable action was taken.

_____/s/
Serge Dedina,
Mayor

_____/s/
Jacqueline M. Kelly, MMC
City Clerk